

JS-6

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

SMARTMETRIC INC.,

Plaintiff(s),

vs.

MASTERCARD INTERNATIONAL
INCORPORATED, and VISA INC.,

Defendant(s).

Case No.: CV-11-7126-MWF (AJW_x)

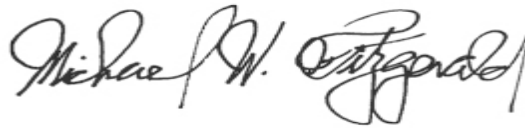
JUDGMENT

On October 2, 2013, the Court granted Defendants' Motion for Summary Judgment as to Non-infringement filed by Defendants Visa, Inc. and MasterCard International, Inc. (Docket No. 174). On October 9, 2013, Defendants submitted a Request for Dismissal of Counterclaims for Declaratory Judgment of Invalidity. (Docket No. 175). Finding that good cause exists for entry of a separate judgment under Rule 54 of the Federal Rules of Civil Procedure,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendants Visa, Inc. and MasterCard International, Inc. shall have judgment

1 against Plaintiff SmartMetric, Inc. ("Plaintiff"), and that Plaintiff shall take
2 nothing; and

3 **IT IS HEREBY FURTHER ORDERED** that the Counterclaims for
4 Invalidity asserted by Defendants Visa, Inc. (Docket No. 25) and MasterCard
5 International, Inc. (Docket No. 29), be dismissed without prejudice, and that
6 neither Plaintiff nor Defendants are deemed a prevailing party under Rule 54 of the
7 Federal Rules of Civil Procedure and Local Rule 54-1 as to those Counterclaims.

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10 Dated: October 16, 2013

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MICHAEL W. FITZGERALD
12 United States District Judge
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